NOTIFICATION No. P. 2403—LEGIS. 13-23-3, DATED THE 7TH NOVEMBER 1923.

In exercise of the powers vested in them under Section VI (2) (*d*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to direct that the constituencies for the representation of the special interests mentioned in the second schedule to the Regulation shall be as follows:—

No.	*Name of Special Interest.*	*Constituency.*
1.	Mysore University ...	Fellows of the Mysore University.
2.	Commerce and Trade ...	The members of the Mysore Chamber of Commerce [for the present.]
3.	Planting ...	Owners of estates of not less than 50 acres under coffee, tea, cardamom or rubber.
4.	Labour ...	Pending the formation of an electorate for labour, the member representing this interest will be nominated by Government.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

NOTIFICATION No. P. 2404—LEGIS. 13-23-4, DATED THE 7TH NOVEMBER 1923.

In exercise of the powers vested in them under Section 6 (2) (*d*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules as regards the qualifications and disqualifications of voters to the Legislative Council.

1. Every person shall be entitled to have his name registered on the electoral roll of a constituency who has the qualifications prescribed for an elector of that constituency and who is not subject to any of the disqualifications hereinafter set out *viz.*,—

(i) who is not a subject of His Highness the Maharaja by birth or domicile and who has not resided in the Mysore State for six months prior to the preparation of the electoral roll.

Provided that, in the case of persons possessing the prescribed property qualifications referred to in Rules 2 and 3 *infra*, residence in the Civil and Military Station, Bangalore, shall not disqualify for voting.

Note.—"Subject of His Highness the Maharaja by domicile" for purposes of the rule means one who has resided in the Mysore State for a period of not less than five years.

Provided also that in the case of electors of representatives of special interests, the Government may grant exemption from the operation of this rule in special cases.

(ii) Who is under 21 years of age; or

(iii) Who is of unsound mind; or

(iv) Who is an undischarged insolvent or bankrupt; or

(v) Who has been sentenced by a Criminal Court to imprisonment for six months or more, or convicted of an offence punishable with imprisonment for seven years or more; or

(vi) Who is a dismissed Government servant.

Provided that the vth and vith grounds of disqualification shall cease to operate from ten years after the date of release or dismissal or earlier under an order of Government.

2. The following persons are qualified as electors in a rural constituency:—

(*a*) Every person—

(i) who is the registered occupant of land situated in such constituency and assessed to land revenue of not less than Rs. 50 per annum payable to Government; or

(ii) Who is a kadim tenant paying an annual rent of not less than Rs. 50 per annum on account of land held by him in the constituency to the holder of an alienated village to which the provisions of Chapters VIII to X of the Land Revenue Code have been applied, or

(iii) Who pays annually Mohatarfa or Municipal tax of not less than Rs. 10 in the constituency.

(*b*) Every person who is the owner of one or more entire Inam villages with a total beriz of Rs. 250 per annum situated in the constituency and who ordinarily resides in the constituency.

(*c*) Every graduate of a University who ordinarily resides in the constituency.

(*d*) Every person who is a retired and pensioned officer (whether commissioned or non-commissioned) of the Mysore State Troops and who resides in the constituency.

(*e*) Every person paying income-tax to Government and residing in the constituency.

Note—(*1*) If property is held or payments are made jointly by the members of a joint family or partnership, the family or partnership shall be adopted as a unit for deciding whether the qualification exists; and the vote shall be exercised, in the case of a Hindu Joint family by the manager thereof, or the member authorised by a majority of the family, and in other cases by the member or partner authorised in that behalf by a majority of the family or the partnership concerned.

Explanation.—"Partnership" includes a company, firm, association, body of two or more guardians or trustees or the joint pattadars or other body possessing joint rights.

Note—(2) Persons residing in the Jahgirs of Yelandur and Sringeri and who satisfy the condition under (*a*) (ii) and (iii) and (*c*) and (*d*) will be deemed qualified as electors in these two areas.

3. The following persons are qualified as electors in an urban constituency:—

(i) Every person who pays in the constituency such amount of municipal tax, land revenue or mohatarfa as will qualify him to be entered in the list of voters for municipal elections in the constituency;

(ii) Every graduate of a University who ordinarily resides in the constituency;

(iii) Every person who is a retired and pensioned officer (whether Commissioned or non-Commissioned) of the Mysore State Troops and who resides in the constituency;

(iv) Every person paying income-tax to Government and residing in the constituency.

4. The persons qualified as electors of representatives of special interests are those described in the last column of the Annexure to Notification No. P. 2403—Legis. 13-23-3, dated the 7th November 1923.

5. The persons qualified to elect representatives of the Mysore Representative Assembly to the Legislative Council are the members of the Assembly.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

NOTIFICATION No. P. 2405—LEGIS. 13-23-5, DATED THE 7TH NOVEMBER 1923.

In exercise of the powers vested in them under Section 6 (2) (*e*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules as regards the qualifications and disqualifications of candidates for election as members of the Legislative Council.

1. Every person shall be entitled to stand for election in a rural or urban constituency who has the qualifications prescribed in rule 2 *infra* and who is not subject to any of the disqualifications hereinafter set out, *viz.*,

(i) who is not a subject of His Highness the Maharaja by birth or domicile and who has not resided in the Mysore State for six months prior to the preparation of the electoral roll.

Provided that, in the case of persons possessing the prescribed property qualifications referred to in rule 2 *infra*, residence in the Civil and Military Station, Bangalore, shall not disqualify for voting.

Note.—"Subject of His Highness the Maharaja by domicile" for purposes of the rule means one who has resided in the Mysore State for a period of not less than five years.

(ii) Who is under 25 years of age; or

(iii) Who is of unsound mind; or

(iv) Who is an undischarged insolvent or bankrupt; or

(v) Who has been sentenced by a Criminal Court to imprisonment for six months or more, or convicted of an offence punishable with imprisonment for seven years or more;

(vi) Who is a dismissed Government servant.

Provided that the vth and vith grounds of disqualification shall cease to operate from ten years after the date of release or dismissal or earlier under an order of Government.

(vii) Who is a female; or

(viii) Who, being a legal practitioner, has been debarred from practising by competent authority; or

(ix) Who is a Government servant.

2. The following persons are qualified to be members representing the rural and the urban constituencies of the Legislative Council.

(*a*) Every person—

(i) who is the registered occupant of land situated in the constituency and assessed to land revenue of not less than Rs. 50 per annum payable to Government; or

(ii) who is a kadim tenant paying an annual rent of not less than Rs. 50 per annum on account of land held by him in the constituency to the holder of an alienated village to which the provisions of Chapters VIII to X of the Land Revenue Code have been applied; or

(iii) who pays annually mohatarfa tax or municipal tax of not less than Rs. 10 to a Municipal Council.

(*b*) Every person who is the owner of one or more entire inam villages with a total beriz of Rs. 250 per annum and who ordinarily resides in the constituency.

(*c*) A Graduate of any Indian or English University of not less than ten years' standing, who has been resident in the constituency for at least three years previous to the election; or

(*d*) Any person who pays an income-tax of Rs. 100.

3. Persons who are qualified to elect members representing special interests or the Representative Assembly are qualified to be members representing such interests or the Representative Assembly.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

NOTIFICATION No. P. 2406—LEGIS. 13-23-6, DATED THE 7TH NOVEMBER 1923.

In exercise of the power vested in them under Section 6 (2) (*d*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules as regards the holding of elections for returning members to the Legislative Council.

PART I.

PREPARATION AND PUBLICATION OF ELECTORAL ROLLS.

1. An electoral roll shall be prepared in English and Kannada for every constituency in which shall be entered the names of all persons appearing to be entitled to be registered as electors for that constituency under the rules published with Notification No. P. 2404—Legis. 13-23-4, dated the 7th November 1923.

2. In the case of all rural constituencies, the electoral rolls for the Taluk or Sub-Taluk comprised in the constituency shall be prepared by the Amildar or the Deputy Amildar having jurisdiction over the area. In the case of the Bangalore and Mysore urban constituencies, the rolls shall be prepared by the Vice-President of the Municipal Council or in the absence of a Vice-President by the Chief Officer of the Municipality.

3. The rolls prepared under rule 1, will be published by the Government or by such other authority as they may appoint in that behalf in the official Gazette and in such other manner as may be approved by Government.

4. Within a period of 3 weeks after the publication of the electoral roll of any constituency, any person whose name is not entered in the roll or any person whose name is entered in the roll and who objects to the inclusion of his name, or of the name of any other person on the roll may prefer a claim or objection to the revising authority hereunder described. An enquiry into such claim or objection will be made by such authority who will pass an order in writing rejecting or admitting the claim as the case may be.

5. The revising authority to whom claims or objections under Rule 4 may be made will be the following :—

All Rural constituencies.	The officer preparing the electoral roll of the taluk or sub-taluk to which the objection relates and two non-officials appointed by the Deputy Commissioner of the District with the officer preparing the roll as chairman.
The Bangalore and Mysore urban constituencies.	The officer preparing the roll and two non-official members of the Municipal Council concerned appointed by the President with the officer preparing the roll as chairman.

6. An appeal from an order under Rule 4 may be presented to the following authorities within a week after the communication of such order :—

In the case of all rural constituencies	The Deputy Commissioner of the District.
In the case of the Bangalore and Mysore urban constituencies.	The President of the Municipal Council.

7. The order of the revising authority, or, where there is an appeal from such order, the decision of the appellate authority, shall be final and the electoral roll shall be amended in accordance therewith and the amendment published in the same manner as the original roll or as Government may direct.

8. The electoral roll thus revised shall continue to be in force for a period of three years or for such period as the Government may prescribe and after the expiration of such period a fresh roll shall be prepared in accordance with these rules.

9. Every person registered in the electoral roll for the time being in force for any constituency shall, while so registered, be entitled to vote at an election of a member or members for that constituency.

PART II.

CONDUCT OF ELECTIONS.

A—Rural Constituencies.

Whenever a general election to the Legislative Council or an election to fill a casual vacancy is to be held, the Government shall fix a date and shall, by notification in the Official Gazette not less than six weeks previous to the date fixed for the election and in such other manner as they may decide, give due publicity of such date.

2. Such of the eligible persons as wish to stand for election in any rural constituency shall furnish their names in writing to the Deputy Commissioner within such time as may be fixed by Government.

3. The said officer shall, if he is satisfied that such persons are eligible to stand for election, prepare a list of such candidates which shall be posted up under his signature in his office. A copy of the list shall also be published in the *Mysore Gazette* by him.

4. If only one candidate stands for election, he shall be declared duly elected.

5. If there are more candidates than one, a poll shall be taken.

6. There may be more than one polling centre in each constituency and the polling shall take place at such centres and at such hours as may be notified by the Deputy Commissioner and it shall be conducted by an Amildar or Deputy Amildar or such other person as may be nominated by the Deputy Commissioner. It will also be open to the Deputy Commissioner to nominate one or two non-officials who may be associated with the polling officer for assisting him in conducting the poll.

7. Every voter is entitled to give one vote. A vote for any person whose name is not included in the list of candidates published under Rule 3 shall not be counted.

8. Voters must vote in person.

9. The vote shall be given by ballot.

10. (*a*) The elector shall proceed to a place screened from observation which shall be provided by the polling officer and there mark his vote on the voting paper in accordance with the instructions contained therein.

(*b*) The instructions which will be in Kannada should be clearly explained to any elector requiring such explanation.

(*c*) If an elector is unable to read or write or is, by reason of blindness or other physical defect, incapacitated from recording his vote as required by rule, the polling officer may assist him, if so desired, in marking the vote on the voting paper and a record of the same shall be made on the voting paper and attested by the polling officer.

(*d*) The voting paper should be folded and closed and put into the voting box by the voter himself.

(*e*) Any vote which is not recorded in accordance with the foregoing instructions shall be declared invalid.

11. The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without the box being unlocked, and it shall be securely sealed by the polling officer with his seal.

12. The polling officer shall satisfy himself as to the identity of the persons tendering votes and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction. He is also responsible for seeing that the votes are recorded with absolute secrecy, that no person who is not entitled to vote is admitted near the voting table and that persons who have recorded their votes leave the place immediately.

13. After the close of the poll, the polling officer shall have the box sealed with his own seal as well as those of such of the candidates or their agents as may wish to do so and arrange for their safe custody until such time as the box is despatched to the Deputy Commissioner.

14. (i) The box aforesaid shall be opened in a place to which candidates or their agents shall have access.

(ii) The votes shall be scrutinized and those that are valid counted by such persons as the Deputy Commissioner appoints in this behalf.

(iii) If there is an equal number of votes in favour of each of two or more candidates, and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Deputy Commissioner and in such manner as he may deem fit.

15. The results of every election shall be certified by the Deputy Commissioner who shall report the same to Government for being notified in the *Mysore Gazette*.

B.—URBAN CONSTITUENCIES.

The rules relating to the conduct of elections in rural constituencies shall apply to urban constituencies with the following modifications:—

1. The authority to whom candidates should notify their intention to stand for election shall be the President of the Municipality.

2. In case there is more than one polling station, the President may depute a member or members of the Council as polling officer.

3. The certified results of the elections shall be reported by the President to the Government for being notified in the Gazette.

C.—SPECIAL INTERESTS.

The election of the members representing the special interests enumerated in part III of the second schedule to the Mysore Legislative Council Regulation, XIX of 1923, shall be made by the constituencies returning such members under notification No.P. 2403—Legis. 13-23-3, dated 7th November 1923 in the same manner and shall be subject to the same conditions as elections to the Representative Assembly under notification No. P. 2399—Legis. 12-23-6, dated the 7th November 1923.

D.—REPRESENTATIVE ASSEMBLY.

The election of the members from the Representative Assemby to the Legislative Council shall be made at a meeting of the Assembly according to such rules as Government may frame in this behalf.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

NOTIFICATION No. P. 2407—LEGIS. 13-23-7, DATED THE 7TH NOVEMBER 1923.

In exercise of the powers vested in them under Section 6 (2), (*f*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules as regards the decisions of doubts and disputes as to the validity of any election to the Legislative Council and the authorities by which they are to be decided.

1. No election to the Legislative Council shall be valid if any corrupt practice is committed in connection therewith by the candidate elected or at his instance.

2. A person shall be deemed to commit a corrupt practice within the meaning of these rules:—

(*a*) Who with a view to induce any voter to give or refrain from giving a vote in favour of any candidate offers or gives money or valuable consideration or holds out any promise individual profit or holds out any threat or injury to any person, or

(*b*) Who himself or through his agent or at his expense feeds or entertains his voters shortly before or after the poll or pays the expenses of travel or hired conveyance, in order to induce them to give votes in his favour, or

(*c*) Who gives, procures, or abets the giving of a vote in the name of a voter who is not the person giving such vote.

Explanation.—A corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge or consent or by a person who is acting under the general or special authority of such candidate with reference to the election. "A promise of individual profit" includes a promise for the benefit of the person himself or of any one in whom he is interested.

3. Every petition against the return of any candidate at an election for the Legislative Council on the ground of corrupt practice or on the ground of any material irregularity shall be made in writing signed by any person who was a candidate at the election or by not less than 25 voters and shall be presented within one week after the date on which the result of election was declared, to the District Judge having jurisdiction over the area in which the election has been or should have been held.

Provided that on sufficient cause being shown the limit of one week prescribed by these rules may be extended by the District Judge.

4. The petition shall specify the acts which the objector or objectors allege as amounting to corrupt practice or material irregularity and affecting the result of the election and which he or they are prepared to substantiate and on presentation be supported by a statement made on oath by each objector.

5. Every objection petition shall be accompanied by a deposit of Rs. 100 as security for all costs, charges and expenses which may become payable by the petitioner or petitioners.

6. (1) The District Judge may, after such enquiry as he deems necessary, pass an order confirming or amending the declared result of the election or setting the election aside. For the purpose of the said enquiry, the District Judge may summon or enforce the attendance of witnesses and compel them to give evidence as if he were a Civil Court, and he may also direct, by whom the whole or any part of the costs of any such enquiry shall be paid and such costs if they exceed the sum of Rs. 100 paid at the time of the presentation of the petition shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure. The decision or order of the District Judge shall be final. If he sets aside the election, necessary steps shall be taken for holding a fresh election.

(2) (*a*) The District Judge if satisfied that a candidate has within the meaning of section 2 committed any corrupt practice for the purpose of election, shall set aside the election of such candidate if he has been elected.

(*b*) If in any case to which clause (*a*) does not apply the validity of the election is in dispute between two or more candidates, the District Judge shall, after scrutiny and computation of the votes recorded in favour of each such candidate, declare the candidate who has won the greatest number of votes to have been duly elected: Provided that for the purpose of such computation no vote shall be reckoned as valid if the District Judge finds that any corrupt practice was committed by any person known or unknown in giving or obtaining it.

(3) If the validity of the election is questioned or disputed only on the ground of an error by the officer or officers charged with carrying out the rules relating to the conduct of elections or of an irregularity or informality not corruptly caused, the District Judge shall not set aside the election.

By order,

B. NAGAPPA,

Secretary to Government,

Local and Legislative Departments.